

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IMPAXX, INC.,

Plaintiff,

-against-

FEDERAL INSURANCE COMPANY,

Defendant.

Docket No. 07CV11051(MGC)

**AFFIDAVIT OF SERVICE**


STATE OF NEW YORK       )  
                                      : ss.:  
COUNTY OF NEW YORK    )

ERIC BURNSIDE, being duly sworn, deposes and says:

Deponent is not a party to this action, is over 18 years of age and is employed by Anderson Kill & Olick, P.C., 1251 Avenue of the Americas, New York, NY 10020.

On December 6, 2007, at approximately 3:45 p.m. I personally served the Summons in a Civil Case; Complaint; Rule 7.1 Statement; Civil Cover Sheet and Judge's Individual Rules upon Defendant Federal Insurance Company by serving the State of New York Insurance Department at 25 Beaver Street, New York, New York 10004. Service was accepted by Charlene Norris, Legal Assistant who stated that she was authorized to accept service.

Charlene Norris is described as a black female, approximately 45 years of age, weighs approximately 140 lbs., approximately 5 feet 4 inches tall with black hair and brown eyes.

  
Eric Burnside

Sworn to before me this  
7<sup>th</sup> day of December, 2007

  
Notary Public

HAZEL V. CHRISTOPHER  
NOTARY PUBLIC, State of New York  
No. 01CH6057347  
Qualified in Kings County  
Commission Expires April 16, 2011

**United States District Court**  
Southern DISTRICT OF New York

IMPAXX, INC.

**SUMMONS IN A CIVIL CASE**

CASE NUMBER:

07 CV 11051

V.

FEDERAL INSURANCE COMPANY

TO: Federal Insurance Company, 15 Mountainview Road, P.O. Box 1615, Warren, NJ 07061

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

John B. Berringer, Anderson Kill &amp; Olick, P.C., 1251 Avenue of the Americas, New York, NY 10020

an answer to the complaint which is herewith served upon you, within 20 Days after service of this Summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

DEC 06 2007

CLERK

DATE

(BY) DEPUTY CLERK



## RETURN OF SERVICE

Service of the Summons and Complaint was made by me <sup>1</sup>	DATE
NAME OF SERVER (PRINT)	TITLE

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served: \_\_\_\_\_
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_
- ☐ Returned unexecuted: \_\_\_\_\_
- ☐ Other (specify): \_\_\_\_\_

## STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Server

\_\_\_\_\_  
Address of Server

<sup>1</sup> As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.